

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MARK BREAKIRON,

Petitioner,

V.

MARTIN HORN, Commissioner,
Pennsylvania Department of Corrections;
CONNOR BLAINE, Superintendent of the
State Correctional Institution at Greene, and
JOSEPH P. MAZURKIEWICZ,
Superintendent of the State Correctional
Institution at Rockview,

Respondents.

CIVIL ACTION

No. 00 - 300:

Judge Hardiman

THIS IS A CAPITAL CASE.

ORDER

On this, the _____ day of December, 2006, upon consideration of Petitioner's *Motion to Compel Respondents to Provide a Detailed Proffer of Testimony Expected from Their Witnesses and Any Prior Statements, Or, in the Alternative, for Permission to Conduct Additional Depositions*, and any response thereto, IT IS HEREBY ORDERED THAT:

Petitioner's Motion is GRANTED. Within two weeks of this Order, Respondents shall provide Petitioner with a detailed proffer of the expected testimony from Judge Warman, Judge Solomon, District Attorney Vernon, Special Agent Kepchar, and Mr. Lepore.

Respondents shall also provide Petitioner with a copy of any statement, interview, letter, memorandum, or notes relating to same, whether oral, written, or electronic, relevant to each of the above witness' expected testimony.

BY THE COURT

Hardiman, J.

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Petitioner's Motion is GRANTED. Petitioner may take the deposition of Fayette County Judge Gerald Solomon, Fayette County Judge Ralph Warman, Fayette County District Attorney Nancy Vernon, Mr. Alfonse Lepore, and Special Agent Kepchar. Petitioner shall provide Respondents with notice of the time and place of any deposition.

BY THE COURT

Hardiman, J.